CSD 1185 [01/10/08] Name, Address, Telephone No. & I.D. No.

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FILE STAMP CANCELLED

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West "F" Street, San Diego, California 92101-6991

In Re Gregory Scott Beauchamp Debtor.	BANKRUPTCY NO. 09-11540-PB7
William K. Ho, Trustee of the Ho Family Trust Moving Party	RS NO. JEB-1
Gregory Scott Beauchamp Respondent(s)	

Amended

NOTICE OF FILING OF A MOTION FOR RELIEF FROM AUTOMATIC STAY

TO THE ABOVE NAMED RESPONDENT(S)[1]:

YOU ARE HEREBY NOTIFIED that a Motion for Relief from the Automatic Stay provided by § 362 of the Bankruptcy Code has been filed. If you object to the Court granting relief from the automatic stay as requested in the Motion, **YOU MUST, WITHIN 11 DAYS FOLLOWING THE DATE OF SERVICE OF THIS NOTICE OF MOTION ON YOU**:

1. Obtain a hearing date and time from the appropriate Courtroom Deputy for the judge assigned to this bankruptcy case. *If a Chapter 7, 11, or 12 case*, determine which deputy to call by looking at the Bankruptcy Case No. in the above caption of this notice. If the case number contains the letter:

-	JM	-	call (619) 557-6019	-	DEPARTMENT ONE (Room 218)
-	LA	-	call (619) 557-6594	-	DEPARTMENT TWO (Room 118)
-	LT	-	call (619) 557-6018	-	DEPARTMENT THREE (Room 129)
-	PB	-	call (619) 557-5157	-	DEPARTMENT FOUR (Room 328)

    For ALL Chapter 13 cases, call (619) 557-5955.

2. File with the Clerk of the Bankruptcy Court, at the address shown above, the original and one copy of:
    (a) an "OPPOSITION TO MOTION" [2] (for real or personal property, use Form CSD 1161 of this Court);
    (b) a "DECLARATION IN OPPOSITION TO THE MOTION" [2]; and
    (c) a separate "REQUEST AND NOTICE OF HEARING ON MOTION," using Form CSD 1186 of this Court (this form may be obtained from the Office of the Clerk);

3. Serve a copy of these documents on the [Attorney for the] Moving Party named in the upper left hand corner.

4. Serve a copy of these documents on each of the additional parties as required by Local Bankruptcy Rule 4001-3.

IF YOU FAIL TO FILE WITH THE CLERK AND SERVE ON THE MOVING PARTY YOUR REQUEST FOR HEARING AND THE DECLARATION IN OPPOSITION TO MOTION WITHIN THE 11-DAY PERIOD PROVIDED BY THIS MOTION, THE COURT MAY GRANT THE MOVING PARTY RELIEF FROM THE AUTOMATIC STAY WITHOUT FURTHER NOTICE TO YOU OR A HEARING.

Dated: 8/19/09

[Attorney for] Moving Party
John E. Bouzane

ALL PLEADINGS RELATED TO THIS PARTICULAR RS ACTION MUST CONTAIN THE ABOVE CAPTION

[1] Local Bankruptcy Rule 4001-2, printed on the reverse side, governs service of this notice.
[2] If you were served by mail, you have three (3) additional days to take the above-stated actions. Instructions for the Respondent and the date of service of this notice indicated in the Certificate of Service are printed on the reverse side.

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1. **ALL PLEADINGS RELATED TO THIS PARTICULAR RS ACTION MUST CONTAIN THE ABOVE CAPTION.**

2. **INSTRUCTIONS TO RESPONDENT:** If you file a "Declaration in Opposition to the Motion," it must be signed by the respondent under oath; and

    (1) identify the interest of the respondent in the property;
    (2) state with particularity the grounds for the opposition;
    (3) if respondent is the debtor or the trustee, state the provable value of the property specified in the Motion and the amount of equity which would be realized by the debtor after deduction of all encumbrances; and
    (4) contain a statement as to competence of the declarant and the foundation for any opinion therein.

3. **INSTRUCTIONS TO MOVING PARTY:** Local Bankruptcy Rule 4001-2 provides that:

    "(a) A motion for stay relief . . . shall:

    "(1) name, as respondents, the debtor, the trustee, and other entities entitled to receive notice of default or notice of sale under applicable non-bankruptcy law governing foreclosure of real or personal property which is the subject of the motion, or the agents for such parties;
    "(2) state with particularity the relief or order sought, and the grounds for such relief or order;
    "(3) state the status of any pending foreclosure or repossession;
    "(4) if the basis of the motion is lack of equity or adequate protection, and value is relevant, state by declaration the provable value of the subject property and the amount of any known encumbrances. The declaration shall also contain a statement as to the competency of the declarant and the foundation for any opinion therein; and
    "(5) if the motion is brought for cause, state by declaration or other verified pleading the specific facts that constitute such cause.

    "(b) Failure to set forth the information required by this rule may be grounds for denial of the relief requested.
    "(c) The moving party shall serve the motion, together with Local Form CSD 1185, NOTICE OF FILING OF A MOTION FOR RELIEF FROM AUTOMATIC STAY, on the parties named in Local Bankruptcy Rule 4001-2(a)(1) above. In a chapter 11 or 12 case, a copy of the motion shall also be served on the United States Trustee."

    ** **MOTIONS FILED AFTER THE CASE IS CLOSED ARE NOT ENTITLED TO A REFUND OF FEES**

[The below Certification of Service must accompany the Notice of Motion printed on the reverse and any motion for entry of a default order pursuant to Local Bankruptcy Rule 4001-5.]

CERTIFICATE OF SERVICE

I, the undersigned whose address appears below, certify:

That I am, and at all times hereinafter mentioned was, more than 18 years of age;

That on 8/19/09 [DATE OF SERVICE[3]], I served a true copy of the within NOTICE OF FILING OF A MOTION FOR RELIEF FROM AUTOMATIC STAY, together with a copy of the Motion for Relief from Stay and [describe any other papers]:

by [describe mode of service]:   overnight mail

on the following persons [set forth name and address of each person served] and/or as checked below:

[   ] Attorney for Debtor (or Debtor), if required:

TRUSTEE
RONALAD E STADTMUELLER
10755 SCRIPPS POWAY PKWY., #370
SAN DIEGO, CA 92131

Gregory Scott Beauchamp
452 Fourth Street
Encinitas, CA 92024

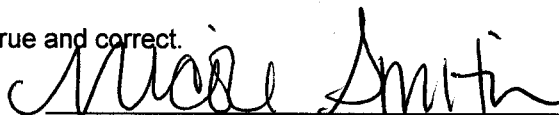| [X] For Chpt. 7, 11, & 12 cases:	[ ] For ODD numbered Chapter 13 cases:	[ ] For EVEN numbered Chapter 13 cases:
UNITED STATES TRUSTEE Department of Justice 402 West Broadway, Suite 600 San Diego, CA 92101	THOMAS H. BILLINGSLEA, JR., TRUSTEE 530 "B" Street, Suite 1500 San Diego, CA 92101	DAVID L. SKELTON, TRUSTEE 525 "B" Street, Suite 1430 San Diego, CA 92101-4507

I certify under penalty of perjury that the foregoing is true and correct.

Executed on 8/19/09
(Date)

(signature)

(Typed Name and Signature)
Nicole Smith

634 Oak Court
(Address)

San Bernardino, Ca 92410
(City, State, ZIP Code)

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[3] This DATE OF SERVICE commences the time period for responding to Motion.

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